

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JUSTIN ALLEN,

Plaintiff,

v.

KATELYN BRUBAKER, et al.,

Defendants.

Case No. 24-cv-10269

Honorable Robert J. White  
Magistrate Judge David R. Grand

---

**ORDER (1) ACCEPTING AND ADOPTING THE MAGISTRATE  
JUDGE’S REPORT AND RECOMMENDATION AND (2) DENYING  
DEFENDANT’S MOTION TO DISMISS**

---

Before the Court is Magistrate Judge David R. Grand’s October 28, 2024 report and recommendation. (ECF No. 39). The report recommends that the Court deny Defendant Michael Garchow’s motion to dismiss the claim against him (ECF No. 23). None of the parties objected to the report and recommendation pursuant to Fed. R. Civ. P. 72(b)(2).

The Court had an opportunity to fully review the matter and believes that the magistrate judge reached the correct conclusions for the appropriate reasons. Accordingly,

IT IS ORDERED that the magistrate judge's October 28, 2024 report and recommendation (ECF No. 39) is hereby accepted and adopted.

IT IS FURTHER ORDERED that Garchow's motion to dismiss (ECF No. 23) is denied.

IT IS FURTHER ORDERED that Garchow is directed to answer the complaint (ECF No. 1) within 10 days of this order's entry.

Dated: December 19, 2024

s/Robert J. White

Robert J. White

United States District Judge